

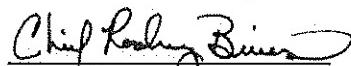
KNOX COUNTY SHERIFF

POLICY AND PROCEDURE MANUAL

CHAPTER 12

12.2 INMATE MAIL

Effective Date: July 1995



Assistant Chief Deputy

RELATED STANDARDS:

ALDF	CORE	FREA	TCI	TCA
2A-60, 5B-05, 5B-06, 5B-07, 5B-08, 5B-09, 5B-10	None	None	1400-1-.11 (1), (2), (3), (4), (5), (6), (7)	None

POLICY:

It is the policy of the Knox County Sheriff's Office Corrections Division to encourage correspondence between inmates and their families, friends and/or other associates to maintain community ties. The only restrictions to this right shall be those necessary to ensure the safety and security of the facility. This policy will be available to all staff and inmates and will be reviewed and updated as needed. **TCI-1400-01-.11(1)**

DEFINITIONS:

Personal Mail: Any mail that is to, or from, an inmate that is not considered "Privileged Correspondence". All personal mail will be inspected for contraband.

Censor: To read communications, such as letters, in order to reject material which might be considered harmful to the interests of the facility.

Contraband: Any article not officially issued by the Corrections Division or purchased from the commissary or any article altered to perform a function other than for which it was originally intended.

Correspondence: Communication, to or from inmates, through letters or postcards.

Indigent Inmates: An inmate whose account balance does not exceed \$2.00 (two dollars) within a two (2) week period and has no account activity during this time and has exhausted all personal sources of income.

Privileged Correspondence: Any mail, electronic or via the USPS, between an inmate and his/her attorney, legal aid services to inmates, paraprofessionals having a legitimate association with such agencies, Judges, Court Clerks, Federal, State/Local Courts or Public Officials and their authorized representatives acting in their official capacities.

In-House Mail: Mail between married inmates while both are incarcerated in the facility at the same time, mail addressed to facility staff and mail addressed to the courts.

Emergency Situation: Any significant disruption of normal facility or agency procedure, policy or activity caused by riot, escape, fire, natural disaster, employee action or other serious incident.

PROCEDURES:

SUB-SECTION A: GENERAL INFORMATION

1. When inmates bear the mailing cost, there is no limit to the amount of mail that can be sent or received, or on the length, language, content, or source of mail or publication except when there is reasonable belief that limitation is necessary to protect public safety or facility order and security. **4-ALDF-5B-05**
2. Inmate personal mail, both incoming and outgoing, may be opened to intercept cash, checks, and money orders and inspected for contraband. **TCI-1400-01-11(3)**
3. Personal mail is read, censored or rejected based on legitimate facility interests or order, and security. Inmates are notified, in writing, when incoming or outgoing mail is withheld. **4-ALDF-5B-08, TCI-1400-01-11(2), (5)**
5. Incoming/outgoing mail will be held for no more than 24 hours, excluding weekends, holidays or emergency situations and when inmates are temporarily absent from the facility (example: hospital, courts, other facilities). **4-ALDF-5B-10**
6. The Knox County Sheriff's Office will not accept any mail from/to "Inmate to Inmate". If the mail is found to come from Prisons, other jails, or from any source of "Inmate to Inmate", this mail will be denied, unless authorization was approved by the Facility Commander prior to delivery.
7. Inmates housed in the Special Management Units of the facility can write and receive mail on the same basis as inmates in the general population. **4-ALDF-2A-60**

Note: The only exception to this rule will be if the inmate is being housed in Disciplinary Segregation for violation of mail rules. When this occurs an "Incident Report" will be written detailing the reason why.

SUB-SECTION B: OUTGOING / IN-HOUSE MAIL

1. Inmates may purchase letter writing materials through the Commissary, for outgoing personal mail. Current United States Postal Service rates will apply:
 - a. \$.47 per standard letter (1 oz. or less)
 - b. Letters weighing over 1 ounce will cost an additional \$.21 per ounce.
2. All outgoing mail will be collected from each unit/cell by a Correctional Staff Member, entered into the Inmate Management System Mail Log, and placed in the designated outgoing mailbox at each facility. The United States Postal Service (USPS) will pick-up and deliver mail Monday through Friday excluding holidays.
3. The third shift Unit Control Officers will be responsible for bringing the outgoing mail to the mailroom, daily.
4. All in-house mail will be delivered to the mailroom for distribution to the appropriate recipient.
5. Mail will not be forwarded to the Post Office with any derogatory comments, drawings, etc. on the outside of the envelope.

SUB-SECTION C: INCOMING MAIL

1. Mail for all Knox County Facilities will be addressed to the Roger D. Wilson Detention Facility, and will be processed by the Mail Clerk and/or a Correctional Staff Member.
2. Mail will be delivered Monday through Friday, during designated time periods.
3. Any article of mail received containing "contraband", as defined by the Mail Clerk/Corrections Staff, shall be rejected and returned to sender in its entirety or seized for evidence. A copy of the mail rejection notice shall be sent to the inmate, one copy with the rejected article of mail being returned and one copy kept on file in the mailroom.

Note: Contraband is defined in the "Inmate Handbook" in the mail section.

4. Mail sent to an inmate who has been transferred or released, will be returned to sender. If unable to return to sender, the mail will be forwarded to the inmate's address given at intake. If the inmate's outgoing mail is returned after he/she has been released, it will be destroyed in 30 days.
5. Inmates may only keep ten (10) letters in their cell at any given time. All other correspondence will be removed from the housing area and placed in the inmate's property (whereupon, the property may then be released by the inmate to a family member or friend).
6. Packages will **not** be accepted for any inmate except as otherwise provided in this policy.

Note: All Officers inspecting inmate mail must wear gloves.

SUB-SECTION D: PRIVILEGED COMMUNICATION (LEGAL MAIL)

1. Inmates are permitted to send sealed letters to specified class of persons and organizations, including but not limited to the following: courts, counsel, officials of the confining authority, state and local chief executive officers, administrators or grievance systems, and members of the paroling authority.
2. Mail to inmates from this specified class or persons and organizations may be opened only to inspect for contraband and only in the presence of the inmate, unless waived in writing, or in circumstances which may indicate contamination. **4-ALDF-5B-09, TCI-1400-01-11(3)**
 - a. Incoming and outgoing letters will be treated as privileged, if the name and official status of the sender appears on the envelope. This mail will only be opened in front of the inmate.
 - b. In no case will this type of correspondence be read or censored.
 - c. In the event that an inmate's privileged correspondence is unintentionally opened outside the inmate's presence, the Mail Clerk or a corrections staff member will complete a memorandum addressed to the Facility Commander indicating the reason(s) for opening. The Facility Commander will forward a copy of the memorandum to the Director of Corrections.
3. Incoming/outgoing legal mail will be held for no more than 24 hours, excluding weekends, holidays or emergency situations except when inmates are temporarily absent from the facility (example: hospital, courts, other facilities). **4-ALDF-5B-10, TCI-1400-01-11(4)**

4. Delivery of Legal Mail

Legal mail will be delivered Monday through Friday, during designated time periods.

a. Roger D. Wilson Detention Facility

- i. Incoming legal mail will be logged into the Inmate Management System by the Mail Clerk at the Roger D. Wilson Detention Facility. Once logged, the Mail Clerk will deliver legal mail to each housing unit for delivery to the inmate by the officer assigned to that area of responsibility. If an inmate is out of the pod, for any reason, the mail will be returned to the Mail Room to be redelivered to the appropriate housing area on the next scheduled delivery day. If the inmate has left the facility or is not coming back for an extended time, the mail will be sent back to the Mail Clerk who will return the mail to the sender.
- ii. Legal mail will be opened in the presence of the inmate, to inspect for contraband. Once opened and inspected, the inmate may keep only the contents of the envelope and not the envelope itself. However, the inmate may tear off and keep the portion of the envelope on which the return address is affixed.
- iii. An inmate will not be given his/her mail if he/she does not have their facility issued identification.
- iv. At no time will the mail be distributed by an inmate, nor will it be given to any inmate other than the inmate to whom the mail is addressed.

b. Knox County Jail

- i. Master Control Corrections Staff, at the Knox County Jail, will place the legal mail on the counter in the Master Control area for pick-up when it is delivered from the Roger D. Wilson Detention Facility.
- ii. Each officer assigned to a housing unit will pick-up and deliver the mail to the inmates in his/her unit.
- iii. If an inmate is out of the housing unit for any reason, the officer will return the mail to the Mail Room until the inmate returns. If the inmate has been released the mail will be returned to the Mail Clerk at the RDWDF who will return it to sender.
- iv. Legal mail will be opened in the presence of the inmate, to inspect for contraband. Once opened and inspected, the inmate may keep only the contents of the envelope and not the envelope itself. However, the inmate may tear off and keep the portion of the envelope on which the return address is affixed.
- v. An inmate will not be given his/her mail if he/she does not have their facility issued identification.

- vi. At no time will the mail be distributed by an inmate, nor will it be given to any inmate other than the inmate to whom the mail is addressed.

c. Knox County Sheriff's Work Release Center

- i. Mail for the Work Release Center will be processed by the Mail Clerk or a corrections staff member at the Roger D. Wilson Detention Facility.
- ii. Transportation Staff will pick up mail from the Roger D. Wilson Detention Facility, each morning, for delivery to inmates at the Knox County Work Release Center.
- iii. Legal mail will be opened in the presence of the inmate, to inspect for contraband. Once opened and inspected, the inmate may keep only the contents of the envelope and not the envelope itself. However, the inmate may tear off and keep the portion of the envelope on which the return address is affixed.

**SUBSECTION E:
ELECTRONIC/EMAIL**

- 1. Inmates may send and receive an unlimited number of emails from kiosks and tablets. Inmates will be charged \$.40 for each incoming and each outgoing email.
- 2. Personal email, both incoming and outgoing, is subject to censorship and inspection. Email containing subject matter of substantial governmental interest unrelated to the suppression of expression (i.e. detecting escape plans which constitute a threat to facility security and/or the wellbeing of staff, public and/or other inmates), will be intercepted.
- 3. Inmates may receive photographs via email. Standard email rates apply. Photographs containing indecent or pornographic subject matter are prohibited.
- 4. Each photo sent via email will be examined for content. Those emails found to contain indecent or pornographic subject matter and/or subject matter deemed to be a security or threat issue, will be intercepted and deleted. Senders of such materials will be blocked from sending future emails.

**SUB-SECTION F:
INDIGENT MAIL**

Indigent inmates will be allowed to send personal and legal correspondence. **4-ALDF-5B-06, TCI-1400-01-11(6)**

- a. Upon request, indigent inmates will receive postage and envelopes to cover the processing of two letters for personal mail.
- b. Indigent inmates may receive two envelopes per week (4-1/8-in-x-9-1/2-in) for legal/privileged correspondence. The full mailing address must appear on the front of the envelope. The Mail Clerk will add postage to the letter upon verification of the recipient's address.
- c. Additional privileged, or legal correspondence, may be delivered to local courts upon request. All privileged and legal correspondence will be sent only upon verification of recipient's name and address.

**SUB-SECTION G:
BOOKS AND PUBLICATIONS**

1. Various publications and books are available to inmates in the facility library, as well as on kiosks and handheld tablets.
2. If an inmate in any Knox County Sheriff's Correctional Facility cannot find the reading material they desire from one of these sources, they will be allowed to have books and publications sent to them, through the United States Postal Service, from the publisher. These publications may not be hard-back and must meet all criteria of the facility. All such documents must be approved by the Facility Commander or his/her designee. **4-ALDF-5B-07**
3. Any subscription cost, or any other cost, associated with the receipt of any book or publication is the sole responsibility of the inmate.
4. Publishers may send books, magazines, and other publications to an inmate through the United States Postal Services directly from the publisher. Any subscription cost, or any other cost, associated with the publication is the sole responsibility of the publisher or the inmate.
5. The electronic inmate communications system is available to all publishers who may elect to submit books, magazines, and other publications in .pdf format for distribution to the inmate population. Any publisher wishing to submit publications in .pdf format must submit the document on a compact disk or thumb drive to:

Knox County Sheriff's Office
Attn: Director of Corrections
400 W. Main Street, Suite L-192
Knoxville, TN 37902

6. No indecent, pornographic and/or subject matter deemed to be a security, or threat issue, will be permitted.
7. Publishers may direct questions about these procedure to the Director of Corrections at 865-971-3913.
8. The Director of Corrections' will notify publishers of any decision to censor or reject publications submitted by publishers for distribution to Knox County's inmates, along with the reasons for such decision. Within 10 days after receipt of such notice, publishers whose materials have been rejected may submit a written request for a hearing before the Director of Corrections, or written review by the Director of Corrections and the Director of Corrections will issue a final decision within 10 days after the hearing or request for written review.
9. Publishers who are aggrieved of such final decisions may seek judicial review under the standards and procedures of the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-322.
10. Paperback books may be received through the mail from private donors/sources to the Library Unit and will be coordinated by the Programs Manager under the following provisions:
 - a. No hardbacks allowed.
 - b. Dimensions of the paperback book will be no larger than 6 inch by 9 3/4 inch, unless prior approval is obtained by the Facility Commander.
 - c. No indecent, pornographic and/or subject matter deemed to be a security, or threat issue,

- will be permitted.
- d. Subject to approval by the mailroom and the library staff.
 - e. Mailroom will keep a log of books that have been accepted and date of acceptance.
 - f. Only two books will be allowed in an inmate's possession/cell at a time.
11. The Mailroom Officer will verify that all incoming books, magazines, and other publications are sent directly from the publisher before delivering to inmates. Any rejection will be returned to the sender in its entirety. A copy of the rejection notice will be sent to the inmate, one copy with the rejected article being returned and one copy kept on file in the mailroom.
- Note:** It is understood and agreed to by the inmate, that once he/she has read the book, they can donate the book(s) to the Knox County Sheriff's Office Correctional Facility Library Unit.
- SUB-SECTION H:
CERTIFIED MAIL**
1. Certified Mail is available to inmates with money in their Inmate Money Account. This service does not apply to indigent inmates.
 2. Any inmate wishing to send a certified letter must send the letter, after it has been searched and sealed by an Officer, in front of the inmate, and a request to the Mail Clerk or a corrections staff member.
 3. The Mail Clerk or a corrections staff member will place a certified label on the letter and send it to the Post Office.
 4. Within 3 business days, a receipt from the Post Office, reflecting the date and cost of the letter will be delivered to the inmate.
 5. The inmate's money account will be deducted for the price of the letter. If funds are not available, the letter will be returned to the inmate. The inmate may fill out a "Property Release Form" to release the letter to a friend or family member.